

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE
DEFIBRILLATORS PRODUCTS
LIABILITY LITIGATION

MDL No. 05-1708 (DWF/AJB)

This Document Relates to:

Jerry R. Comstock,

Plaintiff,

v. Civil No. 07-2174 (DWF/AJB)

Guidant Corporation, Guidant Sales
Corporation, Cardiac Pacemakers Inc., and
Boston Scientific Corporation,

Defendants.

ORDER

Plaintiff Jerry R. Comstock filed his Complaint on May 3, 2007. Plaintiff Jerry R. Comstock passed away on October 25, 2007. Pursuant to Federal Rule of Civil Procedure 25(a)(1), Carolyn S. Sutton, Jerry R. Comstock, Jr., Gary R. Comstock, Perry S. Comstock, Charles D. Comstock, Mary J. Comstock, and Lee A. Comstock now seek an order from this Court substituting Carolyn S. Sutton, Jerry R. Comstock, Jr., Gary R. Comstock, Perry S. Comstock, Charles D. Comstock, Mary J. Comstock, and Lee A. Comstock, in their individual capacities and as the heirs and successors in interest to Jerry R. Comstock, as the plaintiffs in this action. Having considered the submissions and reviewed the procedural history of the file, **IT IS HEREBY ORDERED:**

1. Carolyn S. Sutton, Jerry R. Comstock, Jr., Gary R. Comstock, Perry S. Comstock, Charles D. Comstock, Mary J. Comstock, and Lee A. Comstock's Motion for Substitution of Parties (MDL No. 05-1708 (DWF/AJB), Doc. No. 2725; Civ. No. 07-2174 (DWF/AJB), Doc. No. 6) is **GRANTED**.

2. Carolyn S. Sutton, Jerry R. Comstock, Jr., Gary R. Comstock, Perry S. Comstock, Charles D. Comstock, Mary J. Comstock, and Lee A. Comstock, in their individual capacities and as the heirs and successors in interest to Jerry R. Comstock, shall be substituted for Jerry R. Comstock in the above-referenced matter.

Dated: April 14, 2008

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court